

REMARKS

Applicants, their principal representatives in Germany, and the undersigned have carefully reviewed the Final Office Action of May 27, 2004 in the subject U.S. patent application, together with the prior art cited and relied on by the Examiner in the final rejection of the claims. As set forth in the Amendment filed April 20, 2004, and as discussed with the Examiner during the Interview held April 19, 2004, it is believed that the claims now pending in the subject application are neither anticipated, nor rendered obvious by the prior art cited and relied on. It is requested that the Examiner reconsider the final rejection of the claims in light of the following remarks. It is further requested that the claims of the application be allowed and the application be passed to issue.

Claim 35, the sole independent claim currently rejected, is directed to a device for drawing in a paper web in a web-fed rotary printing press. While the preamble of a claim does not limit the claim scope, it does set forth the environment in which the invention is used. A paper web draw-in device is used only during initial set up of a printing press. Its sole purpose is to draw a leading end of a web through the press. The draw-in device effectively "threads" the paper web through the web-fed rotary printing press. Such a press may be 100 feet or more in length, and several stories high. It also typically has several alternate paths that the web can follow, depending on the specific printing task to be accomplished. Clearly, one draw-in device cannot typically pull the web through the entire press, from start to finish. Typically, each press section has its own web draw-in device. Each such device has a portion that is engageable with the web to pull the web

through the associated section. Each such device also has a portion that is free of web engaging devices. This is because the web draw-in device stays in the press section even after the web has been drawn in. Once the web is passing through the press during normal press operation or production, the web draw-in device must not impede or interfere with the passage of the web.

Enclosed are marked-up copies of Figs. 1 and 2 of the drawings filed in the subject U.S. patent application. As seen in these drawings, and as discussed in the Second Substitute Specification, starting at paragraph 058, there are provided traction means 33 and 34 for use in drawing in the paper web. These have been colored blue. These traction means or web draw-in device include spikes 35 which extend out from the draw-in devices and which engage the web during draw-in, as discussed in paragraph 059. The operation of the spikes 35 of the traction means or paper web draw-in are further discussed in paragraph 069 of the Second Substitute Specification.

In the discussion found in paragraph 075, it is set forth that a portion of the traction means 34, 35 is designed without spikes 35 (emphases added). Once the paper web has reached the driven hopper folding rollers 36 and 27, the traction means 33 and 34 are moved so that only the portion of the traction means; i.e., the portion of the paper web draw-in which has no spikes, is located on the hopper plate 21 and the hopper flanks 22, 23. The hopper plate 21 is shown in yellow and the hopper flanks 22 and 23 are shown in green. It will be clearly seen that the spike-free portion of the traction means; i.e., that portion left on the hopper plate 21 and on the hopper cheeks 22 and 23, at the

termination of the web draw-in, is a portion of the traction means with a substantial length.

This discussion is believed to be important in understanding the language of claim 35. It is important to note, as will be discussed hereinafter that neither of the references relied on in the rejections of the claims is a draw-in device. More significantly, neither of the references has a spike-free portion that is in contact with the paper web along the paper web path upon completion of the draw-in.

Referring now to the Final Office Action, claims 35, 51 and 52 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 4,619,449 to Fischer. Claims 35, 46-48, 51 and 52 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 3,367,549 to Assony. Both of these rejections are respectfully traversed. As will be evident from the discussion to follow, neither Fischer nor Assony shows the structure of the web draw-in recited in currently presented claim 35. Further, neither Fischer nor Assony, nor any combination that might result from them being taken together, or with any of the other prior art not now relied on, renders the structure of claim 35 obvious to one of skill in the art.

Both Fischer and Assony are directed to paper web engaging devices that include spikes or projections. However, neither is a draw-in device. This distinction is important because both the Fischer and the Assony devices are always in contact with their respective paper webs through their spikes or projections. Neither Fischer nor Assony has a spike-free portion that is being contacted by the paper web along the paper web

path. Neither Fischer nor Assony has a paper web draw-in with a first spike bearing portion and a second spike-free portion. Neither Fischer nor Assony has a plurality of spikes spaced apart from each other at a first distance with the spikes attached only to the first, spike bearing portion. Neither Fischer nor Assony show a paper web path that is substantially greater than the length of the first, spike bearing distance.

In the Fischer patent, No. 4,619,449, there is shown a folding apparatus. A plurality of webs 8 are folded longitudinally as they pass over a folding former. The folded web pass between a pair of folding rollers 5. The folding former 1 of Fischer is essentially the same, in structure and function as the hopper plate 21 and the hopper flanks 22 and 23 of the subject invention. The folding rollers 5 of Fischer are the same as the hopper fold roller 26 and 27 of the subject invention. At that point, the similarity between the two devices stops.

In Fischer there is provided a supply roller 2 that is formed with a plurality of projections 6. As seen more clearly in Fig. 2 the supply roller is situated before, in a direction of web travel, the former 1. It is not used for paper web draw-in along the former.

The supply roller 2 of Fischer, as clearly seen in Fig. 2, has these projection 6 spaced evenly, about its circumferential surface. While only a portion of the spike surface of the supply roller 2 contacts the webs 8 at any one time, a portion of the spiked surface of the supply roller 2 is always in contact with the webs 8. Claim 35 recites a first spike bearing portion and a second spike-free portion. The Fischer supply roller 2

does not show that structure. Claim 35 further recites that the plurality of spikes are spaced apart from each other and are attached only to the first, spike bearing portion of the paper web draw-in. Fischer does not disclose, or suggest this structure. If the Fischer roller 2 has a first, spike bearing portion, which is asserted as being the portion between the 3 o'clock and 12 o'clock portion as shown in Fig. 2, then it is clear that Fischer has no second, spike-free portion. The portion between noon and 3 o'clock is clearly provided with spikes. It is not spike-free.

Claim 35 recites that the spikes are adapted to penetrate the paper web only driving draw-in of the web along a paper web path with the spike bearing portion then being moved to a storage path. Once that has been done, the second, spike-free portion of the web draw-in is in contact with the paper web along the proper path.

In Fischer, the supply roller 2 has no spike-free portion. If the 3 o'clock to noon portion is considered to be the spiked portion, then the noon to 3 o'clock portion also has spikes. The assertion that the portion of the supply roller 2 between the noon and 3 o'clock portion is spike-free is not sustainable. There is no spike bearing portion/spike-free portion differentiation shown in Fischer. The spikes or projections 2 on the surface of the supply roller 2 are spaced continuously around the circumference of the supply roller 2. There is no first spike-bearing portion. This is because the supply roller 2 shown on Fischer is not a web draw-in device. It is used continuously to advance the plurality of webs 8 to the former 1. As was discussed initially, a web draw-in device is used only during set up of a press. It is not used during production. The second spike-

free portion of the web draw-in device, as recited in claim 35, is placed along the paper web path after completion of the draw-in. This is because the draw-in device is not used during normal production operation of the press, when the press is running at full speed. In the Fischer device, the supply roller 2 is always in engagement with the paper webs 8. It has no spike-free portion that extends along a paper web path.

Fischer does not anticipate currently pending claim 35. It does not show the structure recited in claim 35. The discussion of the Fischer reference in the Final Office Action is inaccurate and attributes structure to the Fischer device that is not there.

The discussion of the Fischer reference is also applicable to the Assony reference. In Assony, there is shown a belt assembly which is usable to transport a paper web 10. In this instance, the paper web 10 is a stack of papers which have been collated and stacked one above another. An endless belt 15 carries a plurality of pins 21 spaced evenly along its entire length. This is readily apparent from a review of Fig. 1. A separate stripper belt 25 is also an endless belt and has a plurality of evenly spaced belts 26. The holes 26 are spaced along the stripper belt 25 at the same disclosure as the pins 21 are spaced along the belt 15. The stripper belt 25 is longer than the conveying belt 15, as is also seen in Figs. 1 and 4.

In use, the stripper belt 25 and the conveying belt 15 are used in combination with each other to move the stack of collated sheets 10 from right to left, as viewed in Fig. 1. The pins 21 on the conveying belt 15 pass through the holes 26 in the overlying stripper belt 25 and are received in the spaced holes 20 in the collated sheets 10. As the stack of

sheets 10 are moved by the conveyor belt 15, that belt eventually passes around a sprocket 11. To insure that the stack of sheets 10 does not follow belt 16 around that sprocket 11, the stripper belt continues along the horizontal path to be followed by the sheets 10 and passes around an idler wheel 28 which is situated after, in the direction of sheet travel, the sprocket 11. The stripper belt 25, as its name implies, strips the stack of sheets 10 off the conveying belt 15.

The device shown in Arrony is not a web draw-in device. As was the case with the Fischer device, in Assony, the belt 15, and its pins 16 are always in contact with the stack of sheets 10. It is clear that the Assony device does not have a first spike-bearing portion and a second spike-free portion. If the portion of the belt 15 of Assony that is not in engagement with the paper webs; i.e., that portion of the belt 15 extending down, around sprocket 11, below sprocket 11 and 12, and up around sprocket 12 is construed as the spike bearing portion, then where is the second spike-free portion? Claim 35 recites that the spikes are spaced apart from each other at a first distance and are attached on to the spike bearing portion. There is no second spike-free portion of the Assony device. The assertion that any portion of Assony between two adjacent spikes is a spike-free portion, is incorrect in this reference, as it was incorrect in connection with the Fischer reference. The belt 15 of Assony always has a spiked portion in contact with the stack of sheets 10. The only time that such contact would not exist would be if there were no sheets present. The assertion that element 25 has a portion without spikes is correct only

because the entire length of the stripper belt 25 has no spikes. Element 25 clearly does not have any spikes over any portion of its length.

Claim 35 is not anticipated by the Assony reference. There is no paper web drawn with a spiked first portion and a spike-free second portion. There is no spike-free portion of the Assony belt 15 that is ever in contact with the stack of sheet 10. Any portion of the belt 15 of Assony that is in contact with the stack of sheets 10 has a plurality of spikes spaced along its length.

Claims 46-48, 51 and 52 all depend from believed allowable claim 35, as currently presented, and are also believed to be allowable. Claim 53 was previously allowed and is carried forward.

SUMMARY


Claims 35, 46-48 and 51-53 are carried forward. All other claims previously pending in the application have been cancelled. Claims 35, 46-48, 51 and 52, which were finally rejected, are believed to be allowable for the reasons set forth hereinabove. There is no teaching or suggestion of the claimed subject matter, as recited in claim 35, in either of the two references cited and relied on, taken either singly or in combination. The subject Request for Reconsideration is an earned effort to advance the prosecution of the subject application. It does not require any additional searching by the Examiner. It is believed to place the application in condition for allowance. Entry of this Request for Reconsideration, and forwarding of the application to issue is respectfully requested.

Respectfully submitted,

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